

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : HARPER, et al.  
FOR : **RANDOM SAMPLING AS A BUILT-IN  
FUNCTION FOR DATABASE  
ADMINISTRATION AND REPLICATION**  
SERIAL NO. : 09/897,803  
FILED : July 2, 2001  
EXAMINER : Chongshan Chen  
ART UNIT : 2162  
CONFIRMATION NO. : 2493  
LAST OFFICE ACTION : October 6, 2004  
ATTORNEY DOCKET NO. : **STL9200001004US1**  
Cleveland, OH 44114

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

MAIL STOP Issue Fee  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants gratefully acknowledge the indication as to the allowance of the present application.

However, applicants respectfully submit the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)(2001)). In the present case, applicants believe the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicants do not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicant's claimed invention as reflected in the specification and the applicants' responses to the Examiner's Office Actions.

Therefore, while applicants believe the claims are allowable, applicants do not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

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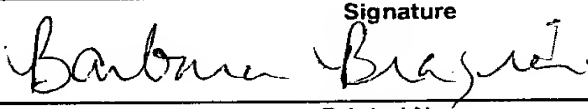
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CERTIFICATE OF MAILING

I certify that this Comments on Statement of Reasons for Allowance is being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:
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May 9, 2005

Signature

Printed Name
Barbara Brazier